

## REMARKS

A Request for Continued Examination is filed herewith. It is respectfully requested that such examination be conducted after entry of the following amendments.

Claims 1, 3, 5-6, 8-16, 18, and 21 have been amended.

Applicants hereby reserve the right to swear behind the cited references.

### Rejections Under 35 U.S.C. § 102(e)

Original claims 1-6, 8-17 and 19-23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ulvinen et al. (US Patent No. 6,393,305) (“Ulvinen”). Applicants respectfully submit that Ulvinen does not disclose each and every element of the invention as claimed.

The Office Action states Ulvinen teaches Applicant’s claimed invention of “‘receiving private access information’ (i.e. by a fingerprint... in order to implement identification) (col. 1, lines 14-26).” Further, Ulvinen teaches that a user is authorized to operate in, or through, or with a resource reachable through the wireless telecommunication system only if the user’s speech characteristics match pre-sorted characteristics associated with a referenced word. (Abstract).

However, Ulvinen does not teach, “authorizing a user based on biometric identification information” and “receiving private access information associated with the authorized user from a remote source.” For example, the “authorizing a user based on biometric identification” may allow access to a device such as a digital wallet, which allows for the “receiving of private access information associated with the authorized user” (e.g., a password) to access remote data. Ulvinen does not teach the use of *both biometric identification information* to authorize a user *and private access information* associated with the authorized user to access remote data. Therefore, Ulvinen does not teach each and every element as claimed.

Accordingly, Applicants respectfully submit that claim 1, as amended, is not anticipated by Ulvinen at least for the reasons stated above. Therefore, Applicants respectfully request the rejection to claim 1 under 35 U.S.C. § 102(e) be withdrawn and those claims dependent directly or indirectly thereon.

As per amended claims 8, 9, 11, 12, 13, 15, and 21, these claims include similar features as discussed above for claim 1 under 35 U.S.C. § 102(e). Therefore, for at least the reasons discussed above, Applicants respectfully request the rejections to independent claims 8, 9, 11, 12, 13, 15, and 21, as well as those claims dependent directly or indirectly thereon, be withdrawn.

#### **Rejections Under 35 U.S.C. § 103(a)**

Original claims 7 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ulvinen in view of Bisbee et al. (U.S. Patent No. 6,237,096) (“Bisbee”).

Claims 7 and 18 are, respectively, dependent directly or indirectly on independent claims 1 and 15, and so inherit the features as discussed above. Bisbee fails to cure the underlying deficiencies of Ulvinen, including both “authorizing a user based on biometric identification information” and “receiving private access information associated with the authorized user from a remote source,” as discussed above. Therefore, the combination does not teach or suggest each and every element of claims 7 and 18. Accordingly, the Applicants respectfully request the rejection to claims 7 and 18 be withdrawn.

## CONCLUSION

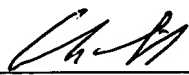
Applicants respectfully submit that all claims are in condition for allowance, and request allowance of all claims. The Examiner is invited to call André Gibbs at 408 720-8300 if there remains any issue with allowance.

Please charge any shortage to our Deposit Account No. 02-2666 and take any extension of time necessary.

Respectfully submitted,

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